REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-5, 7-9, and 11-15 are pending in the present application, Claims 1 and 11 having been amended. Support for the amendments to Claims 1 and 11 is believed to be self-evident from the originally filed specification. Applicants respectfully submit that no new matter is added.

In the outstanding Office Action, Claims 1-5, 7-9, and 11-15 were rejected under 35 U.S.C. §102(b) as anticipated by Ward (U.S. Patent No. 7,228,129).

With respect to the rejection of Claim 1 as anticipated by Ward, Applicants respectfully traverse this ground of rejection. Amended Claim 1 recites, *inter alia*,

> retrieving, with the monitoring device, from a first memory, an information associated with the selected communication protocol, wherein the information associated with the selected communication protocol includes at least a type of status information, a weight of the status information, and information for extracting the type of status information from the monitored device using the selected communication protocol, wherein the weight of the status information indicates a relative informative value of the status information with respect to status information of a same type extracted using another of the plurality of communication protocols;
>
> determining, with the monitoring device, if the type of status information is present in a second memory, wherein the second memory comprises status information previously extracted from the monitored device through a second protocol;
>
> if the determining step determines that the type of status information is present in the second memory, checking, with the monitoring device, whether the weight of the status information stored in the information associated with the selected communication protocol is greater than a corresponding weight associated with the status information of the same type stored in the second memory; [and]...
>
> ...accessing, with the monitoring device, the monitored device using the selected communication and the information for extracting to obtain the status information.

Ward does not disclose or suggest these elements of Claim 1.

Claim 1 describes obtaining status information from a monitored device. The monitored device may be accessed to obtain status information by using a plurality of different communication protocols. The status information that may be obtained depends on the communication protocol used. As explained in paragraph [00154] of the originally filed specification, use of the HTTP communication protocol can obtain status information indicating whether a toner level in an image forming device is high or low. Paragraph [00154] of the originally filed specification also describes that use of the SNMP protocol is able to obtain status information indicating the percentage level of toner remaining. Since the percentage level of toner is more precise than an indication of a high or low toner level, SNMP is considered to have a higher relative informative value than HTTP for the status of toner level.

The invention defined by Claim 1 utilizes "weight" or the "relative informative value" associated with different communication protocols in combination with the type of status information (i.e., toner level) to obtain the most informative status information from a monitored device.

In the invention defined by Claim 1, information associated with a communication protocol is retrieved, and this information includes "a weight of the status information...wherein the weight of the status information indicates a relative informative value of the status information with respect to status information of a same type extracted using another of the plurality of communication protocols." When rejecting Claim 1 and addressing the claimed "weight," the Office Action refers to col. 15, lines 1-9 of Ward. This section of Ward does not disclose or suggest "weight of the status information" as defined by Claim 1.

Rather, col. 15, lines 1-9 of <u>Ward</u> merely refers to a "high priority message" directed to a repair/maintenance entity. In <u>Ward</u>, priority is used to direct the destination of the message (i.e., to the repair/maintenance entity). In <u>Ward</u> "weight" is not associated with the status information obtainable through the different protocols.

Claim 1 also describes how the "weight of the status information" is used. If the type of status information at issue is already stored in a memory, the method of Claim 1 checks whether the weight of the status information stored in the information associated with the selected communication protocol is greater than a corresponding weight associated with the status information of the same type already stored in the memory. Advantageously, it can be determined whether more precise status information can be obtained from the monitored device. <u>Ward</u> is devoid of such functionality.

The Office Action relies on paragraph col. 17, lines 34-46 and col. 23, lines 3-16 to disclose the claimed

> if the determining step determines that the type of status information is present in the second memory, <u>checking whether the weight of the status information stored in the information associated with the selected communication protocol is greater than a corresponding weight associated with the status information of the same type stored in the second memory.</u>

Applicants respectfully traverse this position taken by the Office Action.

The noted section in col. 17 of <u>Ward</u> merely states "perform logical analysis of the operational parameters." Such a general description does not disclose or suggest the specific elements of Claim 1.

The noted section in col. 23 of <u>Ward</u> merely describes forming an alert message. There is no disclosure or suggestion of "checking whether the weight of the status information stored in the information associated with the selected communication protocol is

greater than a corresponding weight associated with the status information of the same type stored in the second memory."
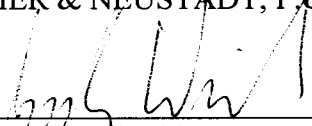
Furthermore, the invention defined by Claim 1 has the monitoring device extracting status information through a communication protocol ("accessing, with the monitoring device, the monitored device using the selected communication protocol and the information for extracting to obtain the status information." Rather than extracting status information, Ward has an interface device 14 send information from the monitored site based upon logic specified by a user.

In view of the above-noted distinctions, Applicants respectfully submit that Claim 1 (and any claims dependent thereon) patentably distinguish over Ward. Claims 7 and 11, although of a different statutory class, recite elements analogous to those of Claim 1. Thus, Applicants respectfully submit that Claims 7 and 11 (and any claims dependent thereon) patentably distinguish over Ward, for at least the reasons stated for Claim 1.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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